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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
SAUL ONTIVEROS-SOLIS,  
  
Defendant.

CASE NO. 1:20-CR-00016-DAD-BAM  
  
STIPULATION TO SET CHANGE OF PLEA  
HEARING; AND ORDER  
  
DATE: March 23, 2022  
TIME: 10:00 a.m.  
COURT: Hon. Dale A. Drozd

**STIPULATION**

1. The government, by and through United States Attorney Phillip A. Talbert and Assistant United States Attorney Katherine E. Schuh, and the defendant Saul Ontiveros-Solis, by and through his counsel of record, Virna Santos, hereby stipulate as follows.

2. The parties have reached a plea agreement in this case.

3. The parties ask that the matter as to defendant Saul Ontiveros be set for a change of plea before the Honorable Dale A. Drozd on March 28, 2022 at 9:00 AM.

4. The parties request that the Court VACATE the status conference currently set for March 23, 2022 at 1:00 p.m. before the Honorable Barbara A. McAuliffe.

5. By this stipulation, defendant now moves to exclude time between March 23, 2022, and March 28, 2022. The parties further agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case

1 includes investigative reports, photographs, video recordings, audio records, and other  
2 investigative documents. All of this discovery has been either produced directly to counsel  
3 and/or made available for inspection and copying.

4 b) Counsel for defendant believes that failure to grant the above-requested  
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
6 into account the exercise of due diligence.

7 c) The government does not object to the continuance.

8 d) Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of March 23, 2022 to March 28,  
13 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it  
14 results from a continuance granted by the Court at defendant's request on the basis of the Court's  
15 finding that the ends of justice served by taking such action outweigh the best interest of the  
16 public and the defendant in a speedy trial.

17 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19 must commence.

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1 IT IS SO STIPULATED.

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3 Dated: March 18, 2022

PHILLIP A. TALBERT  
United States Attorney

4  
5 /s/ Katherine E. Schuh  
KATHERINE E. SCHUH  
Assistant United States Attorney

6  
7  
8 Dated: March 18, 2022

/s/ Virna Santos  
VIRNA SANTOS  
Counsel for Defendant  
SAUL ONTIVEROS-SOLIS

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12 **ORDER**

13 IT IS SO ORDERED that the status conference set for March 23, 2022, is vacated. A change of  
14 plea hearing is set for **March 28, 2022, at 9:00 a.m. before District Judge Dale A. Drozd.** Time is  
15 excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

16 IT IS SO ORDERED.

17  
18 Dated: March 18, 2022

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE